

June 21, 2018

Embassy of the People's Republic of China in the United States of America

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C/O:

- Chief of Policy, Mr. Zhu Haiquan
- Chief of Economic and Commercial Affairs, Mr. Zhu Hong
- Chief of Science and Technology, Mr. Li Chaochen
- Chief of Economic Affairs, Mr. Li Bin
- Chief of Information and Public Affairs, Ms. Fang Hong

CC: Embassy of the People's Republic of China in the Republic of Ecuador

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Dear Mr. Ambassador Cui Tiankuai,

Representing 132 civil society organizations, we write to express concern regarding Ecuagoldmining¹, a Chinese mining company involved in the kidnapping, illegal detainment, violent assault, and alleged assassination attempt of three indigenous leaders in Molleturo, Ecuador last week: Yaku Pérez Guartambel, the President of Ecuarunari, a confederation of indigenous Kichwa peoples; and Mario Fárez and Víctor Hernández, both prominent leaders of the Federation of Indigenous and Peasant Organizations of Azuay².

On May 9, 2018, the indigenous leaders were trapped in their car after the assailants slashed their tires and threatened to set the car on fire near the Rio Blanco gold mining site, which is owned and operated by Ecuagoldmining³. For over 7 hours, the three men were forcibly held against their will until they were finally released in the afternoon. According to local Ecuadorean communities and organizations, workers of the mining company carried out these acts of violence and intimidation in order to frighten and terrorize those who speak out or oppose the

1 "Company Profile: Junefield Mineral Resources", BN Americas.

<https://subscriber.bnamericas.com/en/company-profile/en/junefield-mineral-resources-holdings-ltd-junefield-mineral-resources>

2 "Ecuador: Indigenous Leaders Kidnapped by Gold Mine Workers", Telesur, May 10, 2018.

<https://www.telesurtv.net/english/news/Ecuador-Indigenous-Leaders-Kidnapped-by-Gold-Mine-Workers-20180510-0002.html>; "Ecuador: Indígenas protestan contra minería china por impactos sociales y ambientales", Business and Human Rights Resource Center. <https://www.business-humanrights.org/es/ecuador-ind%C3%ADgenas-protestan-contra-miner%C3%ADa-china-por-impactos-sociales-y-ambientales#c163426>; "Ecuador ends protests at Rio Blanco project", BN Americas.

<https://subscriber.bnamericas.com/news/miningandmetals/ecuador-ends-protests-at-rio-blanco-project>

3 "Twitter: Ecuarani". <https://twitter.com/search?q=Ecuarunari&src=typd>

Rio Blanco gold mine. Already, other Chinese owned mining companies are associated with the deaths of indigenous peoples who seek to protect their homes⁴.

Located next to Cajas National Park in the Azuay province, the Rio Blanco gold mining project has been consistently and vehemently opposed by the region's communities. Indigenous and community leaders cite the developers' failure to conduct free, prior, informed consultation with local residents prior to mining operations, in addition to water pollution caused by nearby mining activities. Already, communities have reported that mining operations have desiccated the Cruz Loma wetland, and so they seek to protect their water systems and way of life from the inherent risks of contamination from nearby mining activities. Although the Ecuadorean government promises that the Rio Blanco gold mine will not pollute water sources, local residents have reported otherwise. As a result, they are now calling for a stop to any and all mining in the region.

Positively, on June 5, 2018, the local Cuenca court ruled in favor of the local communities. The ruling called for the suspension of all mining activities, and recognized that the mining company did not conduct free and informed consultations, as required by Convention 169 of the International Labor Convention. It also ruled that military forces should vacate the area.

We welcome this decision; it clearly recognizes Ecuagoldmining's flagrant abuses towards indigenous and impacted communities.

However, due to the violent intimidation and assassination attempts by Ecuagoldmining staff to the Indigenous leaders, we urge the Chinese government to take a proactive role in preventing further, potential violence by helping to hold Ecuagoldmining accountable in the following ways:

- Urge all Chinese mining companies in Ecuador, including Ecuagoldmining, to respect the 2008 Mining Mandate⁵, and Ecuador's constitutional rights related to free, prior, informed consultation, environmental consultation, the human right to water and the rights of nature (as codified in the Ecuadorean Constitution), as well as other international instruments.
- Urge Chinese mining companies, including Ecuagoldmining, to be informed and aware of the public consultation (4th of February) results, which forbids mining activities in protected areas and their buffer zones, as well as inhabited areas.
- Urge the Ecuadorean government to refrain from formally or informally condoning any persecution or repression of any inhabitants who oppose the mining project.

4 Dan Collins, "Was this indigenous leader killed because he fought to save Ecuador's land?", The Guardian, June 2, 2015. <https://www.theguardian.com/world/2015/jun/02/ecuador-murder-jose-tendetza-el-mirador-mine-project>; Lily Kuo, "What China has to do with the mysterious death of an indigenous leader in Ecuador", Quartz, December 7, 2014. <https://qz.com/307911/what-china-has-to-do-with-the-mysterious-death-of-an-indigenous-leader-in-ecuador/>

5 The Rio Blanco mine were among a number of mining concessions which were revoked by the 2008 Mining Mandate on the grounds that these concessions failed to conduct free, prior, informed consultation with affected communities, overlapped with water supplies and/or protected areas, in addition to other environmental and social violations.

- Urge Ecuagoldmining and Junefield Mineral Resources to publicly condemn the assassination attempt, kidnapping, and illegal detainment carried out by any mining workers, and to additionally take appropriate measures, such as immediately suspending all mining activities, as ruled by the Cuenca court.
- Call on Ecuagoldmining and its parent company, Junefield Mineral Resources Holdings, to stop all mining activities and withdraw from the mining site, per the wishes of regional communities and indigenous peoples.

It is unclear if Ecuagoldmining was aware of the strong, long standing opposition from communities to any mining in the area prior to acquiring the Rio Blanco mine⁶. However, according to the kidnapped indigenous leaders and communities, what is clear is that workers from the mining company appear to be involved in the assassination attempt, kidnapping, assault, and intimidation of indigenous leaders and members of Molleturo seeking to protect their homes and way of life. As you may agree, these acts of violence and intimidation run extremely counter to China's ambition to develop mutually beneficial, "win-win" relationships in their overseas investments.

We hope you understand our obligation to notify you of these concerns given the repeated failures of the Chinese Embassy in Ecuador to respond to community and NGO requests for information⁷. For your reference, we also attach a statement from Ecuadorean organizations about the Rio Blanco gold mine and the Cuenca court's decision.

Please feel free to contact **Kevin Koenig at kevin@amazonwatch.org, as well as our Ecuadorean contact points, Gloria Chicaiza at mineria@accionecologica.org and Ivonne Yáñez at ivonne@accionecologica.org**, regarding any questions or feedback you may have.

Thank you in advance.

Sincerely,

Abibiman Foundation

Activatica

African Development Solutions

African Law Foundation, Nigeria

Amazon Frontlines

Amazon Watch

Ambiente e Futuro, Italy

Amerindian Peoples Association

Arctic Consult Indigenous Peoples Consulting Company

Association for the Protection of the Environment

⁶ "La metamorfosis minera", Accion Ecologica, September 21, 2016.

<http://www.accionecologica.org/editoriales/1967-la-metamorfosis-minera>; Marlon Pueras, "Ecuador: la minería en los páramos de Azuay y el temor a perder fuentes de agua", October 24, 2017.

<https://es.mongabay.com/2017/10/ecuador-la-mineria-los-paramos-azuay-temor-perder-fuentes-agua/>

⁷ David Hill, "Chinese banks ignore pleas of Ecuador mining campaigners", *China Dialogue*, May 12, 2014. <https://amazonwatch.org/news/2014/0512-chinese-banks-ignore-pleas-of-ecuador-mining-campaigners>

Association for the Restoration of Sea Turtles (PRETOMA)

Association Nigérienne des Scouts de l'Environnement (ANSEN) du Niger

Association Toxicologie-Chime

BaliFokus

Biodiversity Conservation Center

BLOOM

Catapa

Coalition for the Northeast Ecological Corridor

Comité Ambiental en Defensa de la Vida

Community of Arran Seabed Trust

Dominica Conservation Association

Duna Kör (Danube Circle)

Earthworks

Eco-Accord Center for Environment and Sustainable Development

Estamos

Flora & Fauna International

Fondation pour la Protection de la Biodiversité Marine

Foundation Development YES - Open-Pit Mines NO

Friends of Lake Turkana

Friends of the Earth Finland

Friends of the Earth U.S.

Fundacion Ambiente y Recursos Naturales

Green Innovation and Development Centre

groundWork

Het X-Y Actiefonds - The Netherlands

Independent News Group LLC

Indigenous Environmental Network

Interamerican Association for Environmental Defense

International Coalition to Protect the Polish Countryside

JEMS Progressive Community Organization

MiningWatch

Movimiento Mesoamericano contra el Modelo extractivo Minero-M4-

National Institute of Agricultural Sciences's Program for Local Agricultural Innovation

People and Water

Rainforest Action Network

Rainforest Information Center

Regionaal Landschap Kempen and Maasland

Rivers without Boundaries International Coalition

Roman Catholic Church's Pastoral Land Commission

S.O.S. Forests

Sakhalin Environment Watch

Salva la Selva

Salvadoran Center for Appropriate Technology

Social Environmental Institute

Society for the Protection of Prèspa
Socio-ecological Union International, Russia
South Durban Community Environmental Alliance
Stand.Earth
Survival International
Sustainable Development Institute/Friends of the Earth Liberia
Tajik Social-and-Ecological Union
Trapani and Paceco Nature Reserve
Ujamaa Community Resource Team
Urgewald
VIA IURIS
World Wide Fund for Nature International in Madagascar
YLNM Yes To Life No To Mining Network (on behalf of 64 organizations)
Yonge Nawe Environmental Action Group

** Bolded organizations include staff recipients of the prestigious Goldman Environmental Prize, of which there are 43 on this list.*